**THE HON'BLE SRI JUSTICE C.V.RAMULU**

W.P.No.8494 of 1995

Dated:19.1.2007

Between

1.Oduri Krishna Rao (died) and others.

.....Petitioners

and

1.The Government of AP rep., by its Secretary, Education Department, Secretariat, Hyderabad and others.

...Respondents

**THE HON'BLE SRI JUSTICE C.V.RAMULU**

W.P.No.8494 of 1995

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not revising the scale of pay payable to the petitioners and in not paying the arrears of salary along with annual increments due to them as per the orders of this Court in WP No.2129 of 1993 dated 26.4.1993, as arbitrary and illegal.

It appears that the petitioners earlier filed WP No. 2129 of 1993 questioning termination of their services and consequently, they were reinstated with back wages etc. The said writ petition was disposed of by an order dated 26th April 1993 with the following direction.

> *"It is stated that the questions raised in this writ petition are equally covered by a decision of this Court in W.P.No.11152 of 1988 dated 6.11.1992. Accordingly,*

*this writ petition is allowed and the respondents are directed to reinstate the petitioners into service as attenders forthwith and pay them their full salary from the date of removal till the date of reinstatement. However, it is clarified that this order does not preclude the respondents from reviving and continuing the disciplinary proceedings against the petitioners in accordance with law from the stage of issue of show cause notice and supplying a copy of the report of the Enquiry Officer along with the show cause notice."*

According to the petitioners, they were reinstated into service. But, their full salary from the date of removal till the date of reinstatement was not paid. Hence, this writ petition.

On behalf of the respondents a counter-affidavit has been filed denying the allegations made in the writ petition, stating that the 3rd respondent is liable to release grant-in-aid and is bound to do the same and the 2nd respondent has no objection to pay the arrears.

Learned counsel for the 2nd respondent also

states that in fact, the 2nd respondent college had filed a writ petition No.22909 of 1994 before this Court seeking a direction to the 3rd respondent for release of grant-in-aid and for payment of arrears of wages to the petitioners. The said writ petition was disposed of on 18.1.2007 directing the 3rd respondent herein to release the grant-in-aid, within a period of eight weeks, from the date of receipt of a copy of this order.

In view of the above, this writ petition is disposed of directing the respondents to pay the arrears of salary as soon as the funds are released by the 3rd respondent i.e., within a period of three weeks thereafter.

With the above direction, writ petition is disposed of.

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19-01-2007

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